

STATE OF INDIANA) IN THE NOBLE SUPERIOR/CIRCUIT COURT
)SS:
COUNTY OF NOBLE) CAUSE NO.

RONALD WADDLES)
Petitioner)
Vs.)
)
METROPOLITAN LIFE INSURANCE COMPANY)
DBA METLIFE DISABILITY)
Respondent)

ACTION FOR DECLARATORY JUDGMENT AND DAMAGES

Ronald Waddles versus Metropolitan Life Insurance Company Deviating MetLife Disability (MetLife) alleges as follows:

1. At all times Waddles was a resident of Noble County.
2. At all times MetLife conducted business in the State of Indiana and in Noble County.
3. In February 2014 Waddles was an employee of Robert Bosch LLC.
4. As a benefit of his employment Waddles was a third-party beneficiary to a disability policy issued by MetLife.
5. Waddles suffered a series of injuries that resulted in Waddles being permanently totally disabled from any employment.
6. Waddles continued his employment through Robert Bosch LLC until approximately April of 2017.
7. On or about April 4, 2019, Waddles entered into a stipulated compromised agreement and petitioned for Workers Compensation Board approval. Copies attached as Exhibit A.

8. During the period of time Waddles was employed at Robert Bosch LLC he was entitled to short-term disability payments and then long-term disability payments from MetLife.
9. Under a MetLife disability contract there was a period of time in which MetLife sought a reduction in their disability payments for payments received by Waddles from the Workers Compensation Award. This reduction payment is commonly referred to as an offset payment.
10. The parties disagree as to the amount of offset payment and the current overpayment balance.
11. The parties have been in communication regarding the alleged overpayment amount that exists and the amount of alleged overpayment that should be reimbursed to Waddles. See Exhibit B letter of November 28, 2022, received in counsel's office on December 1, 2022.
12. Waddles contends the overpayment is completely satisfied, that he is entitled to long-term disability payments, and a reimbursement for an amount of overpayments wrongfully withheld.

Wherefore, Waddles respectfully requests the following:

1. For a determination as to the date under the disability contract that any overpayment has been paid in full.
2. A determination that the overpayment under the contract was completely satisfied and there is a reimbursement/restitution owed to Waddles.
3. Any and all other relief proper in the premises.


VERIFICATION


Ronald Waddles/Petitioner



NOTARY PUBLIC

Subscribed and sworn to before me, a Notary Public, this 5 day of May, 2023.


Notary Public
Resident of DeKalb County, IN

My commission expires: 9/15/2023
My commission number: NP 0673001

/s/ Kevin L. Likes
Likes Law Office, LLC
By: Kevin L. Likes
129 South Main Street
P.O. Box 960
Auburn, Indiana 46706
TX: (260) 925-6318
Attorney No. 10233-17